

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Diane C. Thornton, et al.) Confirmation No: 1984
)
Serial No.: 10/729,496) Group Art Unit: 2162
)
Filed: December 5, 2003) Examiner: Colan, Giovanna B.
)
For: Fiber Splice Assignment and Management System) Atty. Docket No.: 190250-1790
)

REPLY BRIEF RESPONSIVE TO EXAMINER'S ANSWER

Mail Stop: Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The Examiner's Answer mailed December 27, 2007 has been carefully considered. In response thereto, please consider the following remarks.

AUTHORIZATION TO DEBIT ACCOUNT

It is not believed that extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to deposit account no. 08-2025.

REMARKS

The Examiner has provided in the Examiner's Answer various responses to arguments contained in Applicants' Appeal Brief. Although the Examiner's Answer has added some additional remarks in response to Applicants' arguments, the substance of the rejections and the Examiner's positions have not changed. Accordingly, Applicants stand behind the arguments set forth in the Appeal Brief. In addition, Applicants address selected responses in the following.

The Examiner contends that *Kite* discloses a workflow tracking process for fiber spliced jobs as described in claim 1, as an example. The Examiner argues that the ability to view SCID assignments, select a new SCID assignment, and to unassign a SCID, as described in *Kite* supports this contention. In response, Applicants note that a SCID is a Sonic circuit ID that defines a relationship between a fiber strand and an equipment slot for identification purposes. See para. 0403. Therefore, assignment of an SCID to a fiber strand is not analogous to the assignment of a fiber splice record associated with a fiber splice job for the wirecenter to a draftsman, as described in claim 1.

The Examiner further contends that *VanDusen* remedies the deficiencies of the *Kite* reference when the passages cited in *VanDusen* by the Examiner describe process logic paths or PLPs that "are designed to handle the management and execution of linear or serial processes, and for processes that require maintaining the state of transactions, such as online registration systems, wizards, and order processing engines. PLPs are typically used for single-person, end user applications." Para. 1032.

Accordingly, the processes described in *VanDusen* are not directed to a workflow tracking process for the assignment of a fiber splice record associated with a fiber splice job for the wirecenter to a draftsman, as described in claim 1.

The Examiner further argues with respect to *Kite* that since construction is responsible for repair and splicing work, then a construction group is assigned to a fiber splice job using the system described in *Kite*. Page 13. However, *Kite* clearly states that the "Construction group has little direct involvement with managing fiber optic assets and is not involved in the information flow among the other groups." Rather, *Kite* explains that the Fiber Management Tool (FMT) may be of use to the construction group to help them determine fault distances using an optical domain reflectometer (OTDR). Para. 0337. With respect to *VanDusen*, the Examiner argues that the assignment of a draftsman to a fiber splice job is further supported by the disclosure of the scoring of a technical staff of an internal web site on their work product. See page 13 of the Examiner's Answer and paras. 0001 and 0199 of *VanDusen*. Therefore, Applicants fail to appreciate how the proposed combination of *Kite* in view of *VanDusen* teaches or suggests the subject matter of claim 1.

As a result, the cited art fails to disclose the features of claim 1. Using similar reasoning, the cited art does not teach or suggest the subject matter of remaining claims 2-24.

In addition, the Examiner states that the Applicants have made general allegations regarding patentability without specifically pointing out how the claims are patentably distinguished from the cited art. Page 11. In response, Applicants

respectfully disagree and submit that the Applicants have pointed out how the claimed features are not disclosed by the cited references in each of the previous responses.

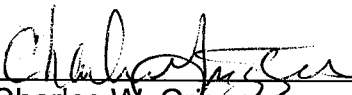
For the reasons presented herein and the reasons earlier presented in the Appeal Brief, the cited references are deficient in disclosing claimed features, and the arguments set forth in the Appeal Brief still stand. The rejection of the pending claims should be withdrawn.

Conclusion

In summary, it is Applicants' position that Applicants' claims are patentable over the applied cited art references and that the rejection of these claims should be withdrawn. Appellant therefore respectfully requests that the Board of Appeals overturn the Examiner's rejection and allow Applicants' pending claims.

Respectfully submitted,

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